

Green, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

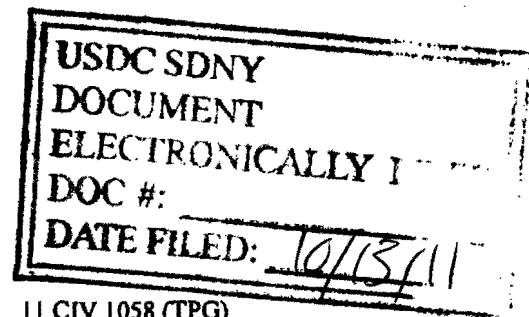
YORKSHIRE TOWERS COMPANY L.P., *et ano.*

Plaintiffs,

- against -

UNITED STATES DEPARTMENT OF
TRANSPORTATION, *et al.*,

Defendants.



11 CIV 1058 (TPG)

SCHEDULING STIPULATION

WHEREAS, on September 1, 2011, the defendants moved to dismiss this action;

WHEREAS, the Court has previously scheduled argument of the motion to dismiss at 11:00 AM on October 17, 2011, based on a briefing scheduling that had provided for plaintiffs' service of opposition papers to the motion on or before October 6, 2011;

WHEREAS, plaintiffs have requested an extension of the briefing schedule, resulting in the need to ask the Court to reschedule the argument on the motion to dismiss from the previously scheduled date to a new date on or after November 2, 2011;

WHEREAS, all counsel have confirmed their availability for argument on November 2 or November 3 or the morning of November 4;

WHEREAS, plaintiffs have also advised the defendants that plaintiffs intend to move for a preliminary injunction and propose that the argument of their motion for a preliminary injunction be heard on the same date as the motion to dismiss;

WHEREAS, plaintiffs have further advised the defendants that plaintiffs will not move for a temporary restraining order prior to the date upon which their motion for a preliminary injunction will be argued before the Court; and

WHEREAS, this stipulation contains the entirety of the agreement between and among the parties concerning the subject matter addressed herein and no other agreement exists between or among the parties;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among all parties to this action:

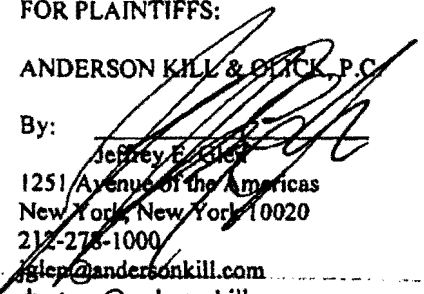
1. On or before October 5, 2011, plaintiffs shall serve their memorandum of law in opposition to the motion to dismiss;
2. On or before October 12, 2011, plaintiffs shall serve all other papers (including any declarations and associated exhibits) in opposition to the motion to dismiss and any papers in support of a motion for a preliminary injunction;
3. On or before October 25, 2011, defendants shall serve their reply papers on the motion to dismiss and any papers in opposition to the motion for a preliminary injunction;
4. On or before October 28, 2011, plaintiffs shall serve their reply papers in support of their motion for a preliminary injunction;
5. Service of all papers shall be by ECF; and
6. The parties respectfully request that the Court adjourn the argument on October 17, 2011 to a date on or after November 2, 2011.

Dated: New York, New York
October 5, 2011

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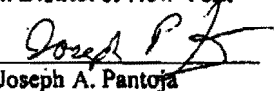
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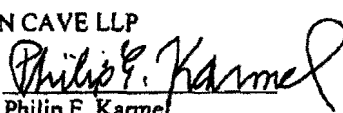

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